

App. Serial No. 10/509,562  
Docket No.: NL 020263 US

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**Remarks**

Claims 1-8 and 10-13 are currently pending in the patent application. For the reasons and arguments set forth below, Applicant respectfully submits that the claimed invention is allowable over the cited references.

In the instant non-final Office Action dated March 27, 2007, claims 1-8 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention, claims 1-8 stand rejected under 35 U.S.C. § 102(e) over Khan *et al.* (U.S. Patent Pub. No. 2002/0120915); and claims 1-3 stand rejected under 35 U.S.C. § 102(e) over Busa *et al.* (U.S. Patent Pub. No. 2001/0039610).

Applicant respectfully traverses the Section 112(2) rejection of claims 1-8 because the difference between the partially connected communication network and the communication means would be clear to one of skill in the art based upon Applicant's Specification. For example, Applicant's Figure 1 shows a partially connected communication network 17 and a communication device 29, which is an example of the communication means. *See, e.g.*, Paragraphs 0020-0022 of Applicant's Specification. The Office Action asserts that the partially connected communication network and the communication means can each be any portion of a communication paths complex; however, claim 1 contains limitations that require these elements to be connected in a particular manner and to perform certain functionality. Thus, the partially connected communication network and the communication means cannot be any part of a communication paths complex as asserted by the Office Action, as they are defined by the claim limitations, and the alleged ambiguity is therefore incorrect. Such configurations are fully supported by Applicant Specification and consistent with the claim limitations. Therefore, the Section 112(2) rejection of claims 1-8 is improper and Applicant requests that it be withdrawn.

Applicant respectfully traverses the Section 102(e) rejection of claims 1-8 because the cited portions of the Khan reference do not correspond to claim limitations directed to a communication means for coupling the functional units and the distributed register file. 35 U.S.C. § 112(6) states that a claim limitation expressed in means-plus-function language "shall be construed to cover the corresponding structure described in the

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specification and equivalents thereof.” *See, e.g.*, M.P.E.P. § 2181(II). Claim 1 includes limitations directed to means for coupling the functional units and the distributed register file. Applicant submits that the Office Action has failed to show correspondence between the Khan reference and the means for coupling as described in Applicant’s Specification. For instance, the Specification teaches that communication means transfer values from the functional units to the distributed register file segments (*see, e.g.* paragraph 0022). In contrast, Applicant submits that the cited portions of the Khan reference teach that the Office Action’s referenced multiplexers pass information from the registers to the functional units. More specifically, the cited portions of the Khan reference teach that the two register files A and B are connected to the functional units of the opposite side via unidirectional cross paths 202 and 252 (*see, e.g.*, Figure 2; Paragraph 0036, lines 14-16). The cited portions of the Khan reference further teach that “the only cross communication is via the cross paths, and these cannot be used to store a result on the register file of the other side” (*see, e.g.*, Paragraph 0036, lines 19-22). Thus, the cited portions of the Khan reference do not teach a communication means that allow the functional units of group A to transfer values to register file B and the functional units of group B to transfer values to register file A.

Applicant presented this argument in the Office Action Response and Amendment dated 11/15/06 to which the Office Action responded by stating “that descriptions in the specification do not get imported into claims and the claims do not recite the direction of communication.” *See, e.g.*, page 4, lines 5-6 of the instant Office Action. However, the Federal Circuit stated that “the “broadest reasonable interpretation” that an examiner may give means-plus-function language is that statutorily mandated in paragraph six.” *In re Donaldson Co.*, 16 F.3d 1189 (Fed. Cir. 1994). According to M.P.E.P. § 2181, “the PTO may not disregard the structure disclosed in the specification corresponding to such language when rendering a patentability determination.” Moreover, according to M.P.E.P. § 2181(I), the “USPTO must apply 35 U.S.C. 112, sixth paragraph in appropriate cases, and give claims their broadest reasonable interpretation, in light of and consistent with the written description of the invention in the application. *See Donaldson*, 16 F.3d at 1194, 29 USPQ2d at 1850 (stating that 35 U.S.C. 112, sixth

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paragraph "merely sets a limit on how broadly the PTO may construe means-plus-function language under the rubric of reasonable interpretation.").

In view of the above, the Office Action has not shown correspondence to the communication means as taught in Applicant's Specification and the Section 102(e) rejection of claim 1, as well as the rejection of claims 2-8 that depend from claim 1, is improper and Applicant requests that it be withdrawn. Notwithstanding the impropriety of the rejection of all of the dependent claims as related to claim 1 above, the limitations of certain dependent claims are addressed further below.

Regarding claim 4, the Office Action fails to cite to any portion of the Khan reference that corresponds to the claim limitations directed to a bus that comprises at least one pipeline register. Applicant submits that mere latching of data (as asserted by the Office Action) does not correspond to a pipelined register. Moreover, Applicant can find no mention of a pipeline register in the Khan reference.

Regarding claim 6, the cited portions of the Khan reference do not correspond to claim limitations directed to a first pass unit that passes data from one of the distributed register files associated with the first plurality of functional units to one of the distributed register segments associated with the second plurality of functional units. The Office Action appears to assert that data path 202 corresponds to the claim limitations. Applicant submits that the cited portions of the Khan reference fail to teach that data path transfers data from the functional blocks to the registers (*i.e.*, data path 202 is, instead, taught to transfer from the registers to the functional blocks). Moreover, Applicant is unable to find any teaching in the cited portions of the Khan reference that teach a path that allows data from functional blocks in data path A to register B or from functional blocks in data path B to register A as asserted by the Office Action. Therefore, the Office Action has failed to show that the Kahn reference teaches each of the limitations of claim 6.

Notwithstanding the above, in an effort to facilitate prosecution, Applicant has amended claim 1 to recite that the communication means transfers values from the subset of the functional units to each part of the distributed register file. As discussed above, the cited portions of the Kahn reference do not correspond to these claim limitations.

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Accordingly, the Section 102(e) rejection of claims 1-8 based upon the Kahn reference cannot stand and Applicant requests that it be withdrawn.

Applicant respectfully submits that the Section 102(e) rejection of claims 1-3 cannot stand because the cited portions of the Busa reference do not correspond to claim limitations directed to a partially connected communication network that transfers values from the function units to selected parts of the distributed register file. The Office Action cites to Busa's path from the registers to the functional units as allegedly corresponding to the partially connected communication of the claimed invention. *See, e.g.,* Figure 1. However, Busa's Figure 1 shows that the data flow is from the registers to the functional units, not that values are transferred from the functional units to the registers as claimed. Therefore, the Section 102(e) rejection of claim 1, as well as the rejection of claims 2-3 that depend from claim 1, is improper and Applicant requests that it be withdrawn.

Applicant has added new claims 10-13 which should be allowable over the Khan and Busa references for the same reasons discussed above relating to the Section 102(e) rejections of claim 1. For example, Applicant submits that the Khan reference does not teach or suggest transferring values from a selected subset of the functional units to each of the plurality of register file segments. Accordingly, Applicant requests that new claims 10-13 be allowed.

Applicant notes that claim 1 is a "means" claim which serves as a linking claim between the device claim 10 and the method claim 12. According to M.P.E.P. § 809, "linking claims must be examined with, and thus are considered part of, the invention elected." Thus, should the Examiner issue a further restriction requirement, claim 1 (as well as dependent claims 2-8) must be examined with the elected invention. Moreover, according to M.P.E.P. § 806.05(e), a "Process and apparatus for its practice can be shown to be distinct inventions, if either or both of the following can be shown: (A) that the process as claimed can be practiced by another materially different apparatus or by hand, or (B) that the apparatus as claimed can be used to practice another and materially different process." Applicant submits that device claim 10 and the method claim 12 are properly drawn to the same invention and thus should be examined together.

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In view of the remarks above, Applicant believes that each of the rejections has been overcome and the application is in condition for allowance. Should there be any remaining issues that could be readily addressed over the telephone, the Examiner is asked to contact the agent overseeing the application file, Peter Zawilski, of Philips Corporation at (408) 474-9063.

*Please direct all correspondence to:*

Corporate Patent Counsel  
Philips Intellectual Property & Standards  
1109 McKay Drive; Mail Stop SJ41  
San Jose, CA 95131

By: 

Name: Robert J. Crawford  
Reg. No.: 32,122  
(NXPS.269PA)

CUSTOMER NO. 65913